REMARKS

Claims 1-18 were pending in the present application. By this Amendment, Applicants have canceled claims 4, 5, 11, and 14-18 without prejudice to the right to present the canceled subject matter in a future continuing application. Applicants have amended claims 1, 2, 3, 6, 7, 8, 10, 12, and 13 and have added new claim 19. New claim 19 is dependent on claim 8 and is directed to subject matter previously included therein. No new matter has been added.

The April 21, 2008 Office Action

Rejection Under 35 U.S.C. §101

Claim 12 was rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter, the Office Action asserting that the claim recites improper process language.

In response, Applicants have amended claim 12 to recite a method for the prophylaxis or treatment of HIV-1 infection, rather than a "use," therefore obviating the rejection. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 12 under 35 U.S.C. §101.

Rejection Under 35 USC §112, First Paragraph

Claims 1, 5, and 11 were rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement. The Office Action asserted that the monoclonal antibodies 2F5 and 3H6 are required to practice the claimed invention and therefore must be known and readily available to the public or obtainable by a repeatable method set forth in the specification to fulfill the

enablement requirement. The Office Action stated that the enablement requirement may be satisfied by a deposit of the hybridoma cell lines producing the antibodies.

In response, Applicants note that deposits of 2F5 (ECACC Acc. No. 90091704) and 3H6 (ECACC Acc. No. 01100279) have been made under the terms of the Budapest Treaty. Deposit receipts and an appropriate Declaration are attached. Applicants assert that the claims are fully enabled and thus respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph.

Rejection Under 35 USC §112, Second Paragraph

Claims 6 and 13 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. The Office Action stated that claim 6 refers to a heavy chain variable region corresponding to SEQ ID NO.: 14 and a light chain variable region corresponding to SEQ ID. NO: 15, but that the disclosure at page 16 indicates that SEQ ID NO.: 14 actually corresponds to the light chain variable region.

In response, Applicants respectfully traverse the rejection of claim 6. Applicants direct attention to the Second Preliminary Amendment filed September 27, 2007, wherein the specification at page 16 was amended to correct typographical errors in the sequence identifier numbering. The identities of the sequences recited in claim 6 are consistent with the specification, as amended, and therefore, claim 6 is not indefinite. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 6 under 35 U.S.C. §112, second paragraph.

Claim 13 was rejected as allegedly being indefinite for its recitation of the phrase "particularly a vaccine."

In response, Applicants have amended claim 13 to remove the language that formed the basis of the rejection set forth in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 13 under 35 U.S.C. §112, second paragraph.

Rejection Under 35 USC §103(a)

Claims 1-4, 7-10, 12, and 13 were rejected under 35 U.S.C. §103 (a) as allegedly obvious over Kang (1991), in view of Muster, et al. (1993). According to the Office Action, Kang discloses methods for the generation of anti-idiotype antibodies against neutralizing monoclonal antibodies, hybridomas producing said antibodies, methods for producing recombinant/chimeric/humanized antibodies, and pharmaceutical compositions comprising said antibodies. The Office Action acknowledged that this teaching does not disclose anti-idiotypic antibodies generated against Mab 2F5. The Office Action asserted, however, that Muster and colleagues provide Mab 2F5, and concluded that it therefore would have been obvious to one of ordinary skill in the art at the time of the invention to utilize Mab 2F5 as provided by Muster, et al., in the methods of Kang, because, in the opinion expressed in the Office Action, "this would reasonably be expected to produce useful therapeutic and diagnostic reagents."

In response, without conceding the correctness of the position expressed in the Office Action, but to expedite allowance of the subject application, Applicants have amended claim 1 to include subject matter from now canceled claim 5 (which was not included in the present

rejection). Applicants believe this amendment fully overcomes the rejection under 35 U.S.C. §103(a) and thus, Applicants respectfully request reconsideration and withdrawal of the rejection.

In view of the amendments and remarks presented herein, and the accompanying attached documents, Applicants believe all of the rejections set forth in the April 21, 2008 Office Action have been fully overcome and the claims are in condition for allowance. Reconsideration and favorable action are earnestly requested.

No fee is believed due in connection with the filing of this paper. However, if any fee is deemed necessary, authorization is hereby given to charge such fee, or credit any overpayment, to Deposit Account No. 02-2135.

Respectfully submitted,

By _____

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Attachments:
Declaration of Hermann Katinger
Biological Deposit receipts

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